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May 29, 2013

VIA FAX AND U.S. MAIL

The Honorable Judge P. Kevin Castel
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

The rights of all persons claiming an entitlement to the attorney's fee award will be adjudicated. Any particular claimant is free to attend or not as they choose.

Re: In re Bank of America Corp. Securities, Derivative, and ERISA Litigation
Consolidated Derivative Action
Case No. 09 MD 2058 (PKC)
Attorney Fee Dispute/Case Documents No. 900 and 901

Dear Judge Castel:

My name is James Dunlap. My firm, along with Evangelista & Associates LLC, and Page Perry LLC (hereinafter "the Atlanta firms"), represented Ann B. Houx in both the above-captioned case and the Bank of America Delaware derivative action.

Paul Paradis of Horowitz, Horowitz & Paradis LLP has informed me there is a pending fee dispute between Wolf Haldenstein Adler Freeman & Herz LLP, Chimicles & Tikellis LLP and Horwitz Horwitz & Paradis LLP. The Court has scheduled a hearing on this dispute on June 13, 2013. [Doc. 900]. Mr. Paradis has represented to me that the dispute does not involve any of the Atlanta firms.

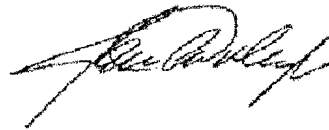
Therefore, I understand that the Atlanta firms are not involved in this dispute. The Atlanta firms do not take a position in the dispute and do not intend on attending the June 13 hearing unless the Court directs or suggests otherwise. However, the Atlanta firms' share of the fee award already has been agreed to by all firms in the litigation and we have asked Plaintiffs' counsel to be paid. A copy of the fee agreement by and among Plaintiffs' counsel is attached as Exhibit A. Therefore, I would respectfully ask the Court to direct Plaintiffs' counsel to disburse the Atlanta firms' share of the fee award to my Trust account as per the agreement by and among Plaintiffs' counsel.

Please advise if the Court would like a representative of the Atlanta firms to attend the June 13 hearing or if there is any other assistance we may provide the Court. Thank you.

ORDERED
SDNY
5-29-13

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Letter to Judge Castel re Fee Dispute
May 29, 2013

Sincerely,
James A. Dunlap Jr. & Associates LLC



James A. Dunlap Jr.
Georgia State Bar No. 003280

JAD/jd
cc:

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